

E-FILED : 12/19/07

[Attorney list on signature page]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

HYNIX SEMICONDUCTOR INC.; HYNIX
SEMICONDUCTOR AMERICA, INC.;
HYNIX SEMICONDUCTOR U.K. LTD.; and
HYNIX SEMICONDUCTOR
DEUTSCHLAND GmbH,

Plaintiffs,

vs.

RAMBUS INC.,

Defendant.

CASE NO. C 00-20905 RMW

**REVISED ~~AMENDED~~ ORDER AND
JOINT STIPULATION CHANGING
TRIAL DATE AND RELATED
PRETRIAL SCHEDULE**

RAMBUS INC.,

Plaintiff,

vs.

HYNIX SEMICONDUCTOR INC., HYNIX
SEMICONDUCTOR AMERICA INC.,
HYNIX SEMICONDUCTOR
MANUFACTURING AMERICA INC.,

SAMSUNG ELECTRONICS CO., LTD.,
SAMSUNG ELECTRONICS AMERICA,
INC., SAMSUNG SEMICONDUCTOR,
INC., SAMSUNG AUSTIN
SEMICONDUCTOR, L.P.,

NANYA TECHNOLOGY CORPORATION,
NANYA TECHNOLOGY CORPORATION
U.S.A.,

Defendants.

CASE NO. C 05-00334 RMW

1 RAMBUS INC.,

CASE NO. C 06-00244 RMW

2 Plaintiff,

3 vs.

4 MICRON TECHNOLOGY, INC., and
5 MICRON SEMICONDUCTOR PRODUCTS,
6 INC.,

7 Defendants.

8 **STIPULATION AND ~~RECEIVED~~ ORDER**

9
10 WHEREAS, the trial of the claims and defenses outlined in Attachments 1 through
11 5A of the July 31, 2007 Joint Case Management Conference Statement in the above captioned
12 matters was scheduled to begin on January 22, 2008 (hereinafter the "January '08 Trial");

13 WHEREAS, at the December 13 and 14, 2007 pretrial conference, the Court gave
14 Rambus the option of postponing the January '08 Trial up to two weeks as a result of the
15 production of documents in the preceding month by Micron Technology, Inc., Micron
16 Semiconductor Products, Inc. ("Micron") and Nanya Technology Corporation, Nanya Technology
17 Corporation U.S.A. ("Nanya");

18 WHEREAS, Rambus has elected to move the trial from January 22, 2008 to
19 January 29, 2008;

20 WHEREAS, Nanya, Hynix Semiconductor Inc., Hynix Semiconductor America,
21 Inc., Hynix Semiconductor U.K. Ltd., Hynix Semiconductor Deutschland GmbH ("Hynix"),
22 Micron (collectively "Manufacturers") and Rambus Inc. ("Rambus") have agreed to amend the
23 Court's prior pretrial schedule to take into account the change in trial date;

24 NOW therefore, it is hereby AGREED and STIPULATED, by and among the
25 parties hereto through their undersigned counsel, that the following pretrial schedule shall be in
26 place for the January '08 Trial. This schedule shall supersede and replace the prior pretrial
27 schedule:

1. December 28, 2007:

a. Exchange proposed exhibit lists pursuant to Standing Order Paragraph B(8)(g); and

b. Deadline to file oppositions to motions in limine.

2. January 4, 2008:

a. Exchange written discovery and deposition designations pursuant to Standing Order Paragraph B(8)(e); and

b. Deadline to exchange electronic images of exhibits.

3. January 7, 2008: Exchange a draft of Preliminary Pretrial Statements with items delineated in Standing Order Paragraphs B(8)(a), (b), (c), (d), (f), (h), (i), (j), (k), and (l).

4. January 9, 2008:

a. Exchange Proposed Voir Dire pursuant to the Standing Order Paragraph B(4);

b. File joint pretrial statement with items delineated in Standing Order Paragraphs B(8)(a), (b), (c), (d), (f), (h), (i), (j), (k), and (l); and

c. Exchange proposed verdict form pursuant to Standing Order Paragraph B(6).

~~5. On January 9, 2:00 p.m., Second Pretrial Conference. On or before January 7, 2008, each side shall submit a proposed agenda for this pretrial conference.~~

6. January 14, 2008:

a. File Proposed Voir Dire, and any objections, pursuant to Standing Order Paragraphs B(4) and C(4);

b. File Joint Verdict Form, and any objections, pursuant to Standing Order Paragraphs B(6) and C(4); and

1 c. File Proposed Findings of Fact and Conclusions of Law for Non-
2 Jury Issues pursuant to Standing Order Paragraph B(7).¹

3 7. January 15, 2008:

4 a. File objections to written discovery and deposition designations, and
5 any counter-designations, pursuant to Standing Order Paragraphs C(2) and C(3).

6 8. January 16, 2008:

7 a. File any objections to exhibit lists pursuant to Standing Order
8 Paragraph C(4).

9 9. January 24, 2008: File any objections to deposition counter-designations
10 and any rebuttal designations.

11 10. January 28, 2008: File any objections to rebuttal designations.

12 11. January 29, 2008: Trial begins.

13 a. All witness are to be disclosed two business days before the day on
14 which a witness is to be called. The disclosure of witnesses to be called shall take place at 9:00
15 a.m. and it shall include the order in which the witnesses are to be called on that trial day. The
16 calculation of the 2 day period shall not include intervening weekends or legal holidays.

17 [8.1. January 17, 2008, 2:00 pm. Second Pretrial Conference.

18 [8.2. January 22, 2008, 2:00 pm. Third Pretrial Conference.

19 SO ORDERED, Each side shall submit proposed agendas 2 calendar days
20 in advance of each conference. If either date works a
21 hardship, please contact the court to reschedule by Dec. 28.

22 DATED: 12/19/07

23 Ronald M. Whyte
24 HON. RONALD M. WHYTE

25 In the proposed agendas for the Second Pretrial Conference,
26 each side shall file a trial time estimate, broken
27 down by witness.
28

¹ Rambus asserts that all references herein to jury instructions are without prejudice to Rambus's continued objection to a jury trial. Manufacturers assert that all references herein to "non-jury issues" or Proposed Findings of Fact are without prejudice to Manufacturers' arguments regarding the issues to be decided by the jury (or consistent with the findings of the jury).